



California Fair Political Practices Commission

January 30, 1989

Thomas M. Hagler
Heller, Ehrman, White and McAuliffe
333 Bush Street
San Francisco, CA 94104-2878

Re: Your Request for Advice
Our File No. I-88-384

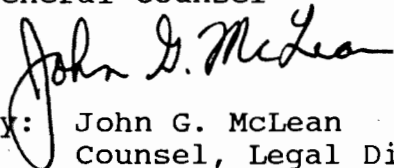
Dear Mr. Hagler:

In October of last year, you wrote us requesting advice on behalf of the Sierra Club Committee on Political Education. I have made a number of attempts to contact you by phone in order to ask some questions, but have thus far not received any response. Accordingly, it is my intention to close our file on this matter.

If you still wish to seek advice or if you have any questions, please contact me at (916) 322-5901.

Sincerely,

Diane M. Griffiths
General Counsel


By: John G. McLean
Counsel, Legal Division

DMG:JGM:ld

October 4, 1988

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Fair Political Practices Commission
428 J Street
Sacramento, California 95814

Attention: Technical Assistance

Slate Mailer Organization Rules
Request for Clarification

Dear Sir or Madam:

I am the treasurer of a general purpose recipient committee, the Sierra Club Committee on Political Education - S.F. Bay Chapter (FPPC #871601) ("SCCOPE"). SCCOPE is sponsored by the Sierra Club - S.F. Bay Chapter (the "Sponsor").

I am writing to request formal written advice from your office about the application of the new slate mailer organization rules to a number of different situations. I have spoken with a number of people in your office about these questions (including, most recently, Karla Wardlow), and we concluded that a formal request for written advice is appropriate.

The facts and questions are as follows:

1. The Sponsor publishes a monthly newsletter containing articles of interest to its members. This newsletter is mailed to all members, and a small number of additional copies are mailed to libraries, nonprofit organizations, etc. The newsletter is produced and mailed using the sponsor's general funds. Immediately preceding an election, the newsletter contains a list of the Sponsor's endorsements of candidates and ballot measures.

Question: Is the Sponsor a "slate mailer organization" subject to registration and reporting requirements?

2. The Sponsor occasionally publishes at its expense additional copies of its endorsement issue and distributes these by mail and otherwise to the

general public. The expense of these additional copies would presumably be a campaign "expenditure" under FPPC Regulation §18225(b)(4)(C).

Question: Is the Sponsor a "slate mailer organization" because of its production and distribution of these additional copies?

3. SCCOPE produces and mails a slate card for the election to the general public. SCCOPE pays for the expenses of the mailer and reports the expenses on its campaign statements.


Question: Is SCCOPE a "slate mailer organization" subject to registration and reporting requirements?

4. SCCOPE, three candidates, and another general purpose recipient committee jointly fund the production and distribution of a slate mailer to the general public. No special organization is established to generate the mailer.

Question: Which organization, if any, should register and report the activity under the slate mailer rules?

If you need additional information about the facts or wish to discuss this issue further, please call me at (415) 772-6490.

Very truly yours,



Thomas M. Hagler
Treasurer

cc: Ms. Gayle Eads
Mr. Barry Epstein
Mr. Brian Woodworth



California Fair Political Practices Commission

October 11, 1988

Thomas M. Hagler
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, CA 94104-2878

Re: 88-384

Dear Mr. Hagler:

Your letter requesting advice under the Political Reform Act was received on October 5, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John McLean, an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
Diane M. Griffiths
General Counsel

DMG:plh